

LEGISLATURE OF THE STATE OF IDAHO
Sixty-first Legislature First Regular Session - 2011

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 53

BY RESOURCES AND CONSERVATION COMMITTEE

AN ACT

RELATING TO GEOTHERMAL RESOURCE LEASES; AMENDING SECTION 47-1605, IDAHO CODE, TO DELETE CERTAIN ROYALTY PROVISIONS, TO REVISE PROVISIONS RELATING TO THE MANNER OF FIXING RENTALS AND TO PROVIDE FOR ROYALTIES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Section 47-1605, Idaho Code, be, and the same is hereby amended to read as follows:

47-1605. LEASES -- RENTAL AND ROYALTY. (1) Geothermal resources leases shall be issued at an annual rental of not less than twenty-five cents (25¢) per acre, payable in advance and a royalty which shall not be less than ten per cent (10%) of the geothermal resources produced from the lands under lease or the value thereof. The rentals and the royalties specified in geothermal leases shall be fixed in any manner, including but not limited to competitive bidding, or according to any formula as the state board of land commissioners finds will maximize public benefits from such leases. Royalties shall be paid in addition to rental payments, at the discretion of the board of land commissioners by the state board of land commissioners including, but not limited to, competitive bidding, negotiation, fixed amounts or formulas.

(2) Royalty shall be established by the board of land commissioners based on the market value of the geothermal resources produced from the lands under lease. The royalties specified in geothermal leases shall be fixed in any manner by the state board of land commissioners including, but not limited to, competitive bidding, negotiation, fixed amounts or formulas. Royalties shall be paid in addition to rental payments, at the discretion of the board of land commissioners.